IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 11104 of 2005

Between:

Smt.Aswarthamma, W/o.A.Adinarayana Reddy,
R/o.Kapuchennampalli Village, Chilamathur Mandal,
Anantapur District.

..... PETITIONER

AND

1 The District Collector, Anantapur.
2 The Revenue Divisional officer, Penukonda, Anantapur Dist.
3 The Mandal Revenue officer, Chilamathur, Ananthapur District.
4 Vadukuru Adeppa S/o.V.Mallaih,
R/o.Kapuchennampalli village, Chilamathur Mandal,
Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, writ or direction more particularly a writ of Mandamus under Article 226 of Constitution of India, declaring the action of the 2nd respondent in his proceedings D.Dis NO. 2240/2004 D dated
8-4-2005 by canceling assignment patta granted by the 3rd respondent herein in his proceedings DAR Dis.26/1414 dated 22-09-2004 for an extent of 1.55 cents of dry land comprised in Sy.No.474-3A situated at Kapuchennampalli Village, Chilamathur Mandal, without following any procedure and without initiating proceedings under any of the statutes as illegal, arbitrary and violative of Article 19(1)(g) and 300 A of the constitution of India consequently to set aside above said proceedings.

Counsel for the Petitioner: MR.P.NARAHARI BABU

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

The assignment of an extent of Ac.1.55 cents of dry land in Sy.No.474-3A of Kapuchennampalli village, Chilamathur Mandal, Anantapur District, granted in favour of the petitioner was cancelled by the second respondent by proceedings dated 08-04-2005, which is the subject matter of the writ petition. The petitioner has an appellate remedy under Section 4-A (2) of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977.

In these circumstances, the writ petition is dismissed in view of the availability of the alternative remedy of appeal. The petitioner is, however, at liberty to pursue the appellate remedy under Section 4-A(2) of the said Act.

GODA RAGHURAM, J

Dated May 10, 2005.

Ycr/Bsc

To

1 The District Collector, Anantapur.
2 The Revenue Divisional officer, Penukonda, Anantapur Dist.

3 The Mandal Revenue officer, Chilamathur, Ananthapur District.

4. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad. (OUT)

5. 2 C.D. copies.